

WORK OF THE COURTS

Case of Whitney Against Joseph S. Richards on Trial.

A DECREE FOR ALIMONY

LITIGATION ABOUT PROPERTY ON FIRST SOUTH STREET.

E. A. Faber and I. Rosenfield Arrested on a Charge of Concealing Their Property to Evade Paying Attorney's Fees—District Court Orders and Probate Rulings—Miscellaneous Court Couplings.

The case of Ann L. Whitney against Joseph S. Richards, W. B. Richards and Levi W. Richards came on for trial before Judge Cherry and a jury yesterday with Senator Rawlins and Mr. E. B. Critchlow representing the plaintiff, and Mr. P. L. Williams appearing for the defendant.

The suit was brought to recover \$15,500, balance of a promissory note for \$17,000.

The defendants alleged in their answer that the original note of \$17,000 was paid and fully satisfied by the defendant Joseph S. Richards, who gave the plaintiff a deed to certain real estate and his individual interest in \$1,500. The defendants alleged that Mrs. Whitney accepted the deed to the property and the other note for \$1,500, which has since been paid, in full satisfaction of the original note of \$17,000, and pray that the plaintiff be required to surrender the \$17,000 note.

The hearing was proceeding when court adjourned until this morning, when it will be resumed.

TO QUIET TITLE.

Litigation Growing Out of a Decree For Alimony.

Judge Hiles was occupied yesterday in hearing the case of Maggie Smith, Hausner vs. Charles Smith et al. to quiet title to certain premises described as part of lot 7, block 1, plat 8, Salt Lake city, situated on First North Street, and prior to Dec. 30, 1892, the plaintiff was the wife of the defendant, Charles Smith, since which time she secured a divorce from Smith and married one Charles Hausner. By the terms of the decree of divorce she was awarded \$3,500 alimony and \$300 attorney's fees, which judgment was to constitute a lien on the property above described, then belonging to Charles Smith.

On Feb. 15, 1893, Charles Smith deeded the property to Joseph R. Morgan, and on Dec. 30, 1893, at suit of this plaintiff, it is alleged, the deed of transfer was declared fraudulent and void. Further, it is alleged that on Nov. 12, 1891, Joseph R. Morgan, in violation of an injunction of the court, executed a mortgage on the property to August W. Carlson, which mortgage was subsequently declared fraudulent and void.

The plaintiff's claim for alimony was not paid, and under the lien the property was offered for sale and bought in by this plaintiff for \$545.25, she being the highest bidder, and the time for redemption has expired. Charles Smith has since Dec. 30, 1892, occupied the premises, and claims to have title to this plaintiff. The defendants, August W. Carlson, Joseph R. Morgan and Salt Lake City also claim some interest in the property.

The plaintiff prays that she be declared the owner of the property and awarded possession of it, and that it be adjudged that the defendants have no right or title to it.

Attorney C. Patterson represented the plaintiff and Attorney H. E. Booth the defendants.

The defendants denied all the material allegations of the complaint.

The hearing was continued until judgment was rendered in favor of the defendants.

Faber and Rosenfield in Trouble.

E. A. Faber and I. Rosenfield, the parties who started a suit recently against D. A. Hatfield for an accounting, claiming that they were partners with Hatfield in the produce business, were yesterday arrested on a charge of concealing their property to evade paying attorney's fees.

The hearing was continued until judgment was rendered in favor of the defendants.

District Court Orders.

E. G. Mathews, John P. Bloomfield, W. S. Fugate and Charles E. Bird were accepted and sworn as petit jurors.

R. K. Warren vs. Utah Produce & Commission company; settled and dismissed.

Bank of Commerce vs. Virginia Corporation et al.; judgment and decree for the plaintiff by default.

The supreme court handed down two orders as follows:

Pear River Valley Orchard company vs. Peter M. Hargreaves et al.; appellants; petition for rehearing denied.

James Johnston vs. Jeremiah Schenck et al.; appellants; same order.

Probate Rulings.

Estate of Martin H. Peck, deceased; order of sale of real estate made.

Estate of Emeline Christina Larson, deceased; L. S. Fugate appointed administrator on filing bond in the sum of \$400.

Estate of Sarah C. Hardy, deceased; same of real estate approved and order of final distribution made.

Miscellaneous Couplings.

Timothy Egan has entered suit, by his attorneys, McGurkin & McGurkin, against N. T. Johnson et al. to recover \$200, balance alleged to be due on a promissory note secured by a mortgage.

William Herbst et al. have entered suit against Eliza Bangerter Voss et al. to quiet title to certain premises described as the north half of the north-west quarter of section 6, township 4 north, range 1 east of Salt Lake meridian.

Joseph Brown, a youth arrested a few days ago for truancy and general incorrigibility, had a hearing yesterday before Justice Stewart and was held to the district court with a view of his being committed to the reform school. It appeared that the lad was decidedly "tough," and that his surroundings at home were not of the best.

You can't afford to risk your life by allowing a cold to develop into pneumonia or consumption. Instant relief and a certain cure are afforded by One Minute Cough Cure. A. C. Smith, C. D. Swift, 142 Main.

One Only of One Style.

Endless variety of artistic productions in wall novelties, collarettes and jackets. Purchase now while stock is complete. Mehney, the furrier, Knutsford.

Gray's Luxative Pellets cure Constipation.

Royal makes the food pure, wholesome and delicious.



ROYAL BAKING POWDER
Absolutely Pure

ROYAL BAKING POWDER CO., NEW YORK.

RUNAWAY SALT LAKE GIRL.

HER FATHER SEARCHING FOR HER IN DENVER.

Mortgaged His Home to Make the Trip—The Girl Could Not Be Found.

Concerning the disappearance of a Salt Lake girl, who ran away from home recently, details of which were published in The Herald at the time, the Denver Times says:

Salt Lake City, Nov. 10.—The third and most sensational case. On Oct. 4, Alice Rodgers, a pretty young woman of 17, disappeared from the home of her parents, taking with her the sum of \$70. Her father, Mr. Rodgers, who lives at Ogden, in company with an unknown, dark-skinned, villainous-looking man. The man bought two tickets to Denver over the Rio Grande Western railroad. Alice Rodgers' ticket was bought in the name of George Evans. From that day to this, all trace of her has been lost.

A week ago the girl's father came to Denver, looking for her. The police had previously been appealed to, time and again, to do something toward locating her, but had not responded. When Mr. Rodgers arrived in town he again sought police assistance, but was again disappointed. This morning he appeared at detective headquarters and with tear-dimmed eyes, declared that he had been unable to find his daughter and that he was going home in despair. He who had been in town for years, and the shock of her daughter's loss will ultimately kill her. The family home was mortgaged for funds to pay the father's traveling expenses to Denver.

DEATH OF A MISER.

Familiar Figure in Chicago Whose Life is Now Revealed.

Chicago, Nov. 10.—Charles Pearcy, who, for 15 years, was a familiar figure on West Madison street, is dead. He was old, at least 55, when he took his lodgings in a little room at 224 West Madison street. He lived the life of a miser. He had no friends. At times he ate his own cooking; some times he ate in the cheap restaurants of the neighborhood. He never did any work. Neither did he ever seem to be in need of money. He had no friends. He bothered no one. All he asked was to be let alone. Yet there were things about the old man that provoked curiosity. He gave signs of having seen better days.

The busy bodies kept up their prying until they discovered that the old man had come to Chicago from Virginia. Next they learned he had a brother somewhere in the north. He was a country clerk or something of the kind. Still later it was reported that he had another brother in New York who was rich. But the old man would not talk about himself or his family. He would affirm nor deny these reports.

An investigation of his room after his death shows that he was wealthy. The room was shabby furnished and littered with all sorts of odds and ends. The chances of finding anything seemed slight, but from all sorts of impossible places government bonds, money in small amounts, two watches, a memorandum book, and a quantity of bank notes to the amount of \$1,000, and other valuables were dragged out. The total amount of his wealth is estimated at between \$25,000 and \$40,000.

AGAINST FOOTBALL.

Soldiers Are Made to Kill Indians, Not Themselves.

Atlanta, Ga., Nov. 10.—Colonel Henry C. Cook, commander of the Fifth Infantry of the United States army, stationed at Fort Huachuca, has issued an edict which prohibits any further playing of match games of football on that reservation. The members of the Fort Huachuca 11 will not be allowed to play football on the reservation, and the practice of the team has been greatly modified.

RETURNED WHALERS.

Product of the Catch—What They Report.

San Francisco, Nov. 10.—Up to date 13 whalers and four tenders have arrived from the Arctic. In all they brought 5,416 barrels of oil, 141,078 pounds of whalebone and 5,498 pounds of ivory, besides a large quantity of furs. A conservative value of what has come down is \$750,000. Some of the vessels caught in the ice are bare. Others have a number of whales to their credit, but there is no manner of telling how many.

METEOROLOGICAL RECORD.

Yesterday's Observations at the Local Weather Bureau Office.

Salt Lake City, Utah, Nov. 10.—Barometer, 6 a. m., 55.1; 6 p. m., 55.0; thermometer, 6 a. m., 41; 6 p. m., 52; relative humidity (per cent), 6 a. m., 57; 6 p. m., 54; direction of wind, 6 a. m., southeast; 6 p. m., south; velocity of wind, miles per hour, 6 a. m., 8; 6 p. m., 11; state of weather, 6 a. m., cloudy; 6 p. m., cloudy; maximum temperature, 56 degrees; minimum temperature, 40 degrees; mean temperature, 48 degrees; hours of sun, 42 degrees; excess of this date, 6 degrees; accumulated deficiency of temperature since Jan. 1, 346 degrees; accumulated deficiency of temperature since Nov. 1, 21 degrees; precipitation, including rain, hail and melted snow, .06 inches for 22 days; .04 inches; deficiency for this date, .04 inches; accumulated excess since Jan. 1, 1.02 inches; accumulated excess of this date, 6 degrees; accumulated deficiency of temperature since Jan. 1, 346 degrees; accumulated deficiency of temperature since Nov. 1, 21 degrees.

FORECAST FOR TODAY—Following is the forecast for Salt Lake City and vicinity for the 24 hours ending 6 p. m. today: Fair, stationary temperature.

Observer, Weather Bureau.

Infantry Changes.

Denver, Nov. 10.—It has leaked out from department headquarters in this city that from the best authority obtainable the new programme of infantry changes will send the Seventh Infantry to Arizona and the First to Fort Russell. The Eleventh infantry, now stationed in Arizona, will go to California and the Eleventh now stationed at Fort Russell, will go to Fort Logan.

THE PUBLIC SCHOOLS

Meeting of Gentlemen Interested in Maintaining Their Standard.

WILL FORMULATE A CALL

NO STAR CHAMBER METHODS, BUT A PUBLIC MEETING.

Mass Meeting of the Fourth Ward Citizens at Taggart's Hall Tonight—The "Citizens' Committee" Still Ready to Do Business.

Another meeting of a number of prominent gentlemen interested in the welfare of the public schools, was held at the office of H. G. McMillan last night. Those present are strongly imbued with the idea of maintaining the high standard the public schools have already attained and of keeping inviolate the High school. The discussion last night was with the object of formulating a call for a public meeting and an adjournment was taken until Friday evening, when it is expected the call will be issued.

This evening a called meeting of those citizens of the Fourth municipal ward who favor the continuance of the High school, will be held at Taggart's hall for discussion and organization for the coming school year. Since a citizens' general provisional committee is in process of organization and will not have its address ready for promulgation until the first of December, it is unlikely that tonight's meeting to the Fourth will take definite action until the results of tomorrow night's meeting in Mr. McMillan's office are known. But it is certain that the citizens of the Fourth precinct will act on lines expected to be suggested by the general provisional committee, either independently or in union with the other wards.

Overseer Jones of Indiana made a verbal report.

The acceptance will be held at the opera house tomorrow afternoon and Governor Hastings will make the opening address.

BISHOP OF IDAHO ADVANCED.

ELECTED EPISCOPAL BISHOP OF PENNSYLVANIA.

Rt. Rev. Ethelbert Talbot, D. D., is at Present Missionary Bishop of Idaho and Wisconsin—He Will Accept.

Bethlehem, Pa., Nov. 10.—The Rt. Rev. Talbot, D. D., LL.D., was this evening elected bishop of the Episcopal diocese of Pennsylvania, four ballots were necessary to elect. Dr. Talbot is present missionary bishop of Idaho and Wisconsin.

Among the clergymen mentioned for the bishopric were Rev. Dr. A. Mackey Smith and Dr. R. S. McLean, both of Washington; Rev. Dr. Boline, of Philadelphia; Rev. Dr. Stone of Chicago; Rev. Dr. Swenell, of Brooklyn; and Rev. Rogers Israel, of Philadelphia. The situation eventually narrowed down to a contest between Bishop Talbot and Dr. Smith and on the fourth ballot the election was made. Bishop Talbot received 80 electoral votes and Dr. Smith 50 electoral and 51 lay for Dr. Smith. The election of Bishop Talbot was then made unanimous.

Denver, Nov. 10.—Rev. Ethelbert Talbot is the son of Rev. Dr. John A. Talbot and was born at Fayette, Iowa, county, in September, 1850. He graduated from Dartmouth in the class of '70. In the fall of 1870 he entered the General Theological Seminary of the Episcopal church, graduating in 1874. He was ordained to the ministry in 1875. He was rector of St. James' church, Mo., and was rector of St. James' church of that city for ten years. He was appointed missionary bishop of Wyoming and Idaho in 1881. He has since that time been a prominent educator. He founded St. James' Academy for Boys at Macon City, and also the Academy for Boys at Laramie. He also established St. Margaret's Academy for Girls at Boise, Ida.

Bishop Talbot attended the Lambeth conference at London last year and preached at Westminster abbey on St. Paul's cathedral while in London.

Rev. Robert Talbot, rector of Trinity church of Kansas City, and Hon. Ralph Talbot, a prominent Denver attorney, are brothers of the bishop.

HE WILL ACCEPT.

Boise, Ida., Nov. 10.—Bishop Ethelbert Talbot, who has been elected to the diocese of Idaho and Wyoming, received a dispatch from South Bethlehem, Pa., stating he had been elected bishop of the diocese of Central Pennsylvania. The bishop had not replied, but it is understood he will accept.

MARRIED "ON PAROLE."

Case of Industrial School Bride Meets Executive Clemency.

Milwaukee, Wis., Nov. 10.—Mrs. Robert Lewis Schoenbaum, nee Simpson, whose strange case has been puzzling the lawyers for a week past, will regain her liberty this afternoon.

Mrs. Schoenbaum is the woman who married while "on parole" from the industrial school, and was arrested before she left the Justice's office where the ceremony was performed and returned to the school. Mr. Schoenbaum has not seen her since she was taken from him. The lawyers have been puzzling their heads over the case, and have concluded that the industrial school authorities are right, and that the girl could not marry without their consent.

Finding he had no recourse in law the husband applied to Governor Spooner. The governor, after hearing the appeal, said he would grant a pardon. Before her release, however, the school authorities will be heard. The governor said the pardon would establish a precedent in such cases.

MORMON ELDERS IN OHIO.

Assignments Made—Elder Mayhew En Route to Nephi.

Cincinnati, Nov. 10.—The two Mormon apostles, Lyman and Crowley, who have been in conference here, have assigned missionary elders in Ohio as follows:

To Cincinnati.—Elders J. B. Erekson, E. F. Turley, Michael Mauss, Joseph E. Wilson and R. G. Clark.

To Columbus.—Elders D. J. Davis and A. K. Hansen.

To Tuscarawas county.—William F. Butt and Thomas Cottle.

To Zanesville.—No elders to be sent from this office, but Elder Mayhew has returned to Nashville, and Elder Mayhew has gone to Nephi, Utah.

SUITS INVOLVING MILLIONS.

Son of Ex-Governor Charged With Embezzling.

Albany, N. Y., Nov. 10.—Upon the calendar of the appellate court are ten cases involving over \$1,500,000. In five of the cases the Mutual Life Insurance company of New York is plaintiff, alleging that David O. Robinson, a son of former Governor Robinson, is an embezzler.

Robinson is a defendant in the five Robinson suits to recover money claimed to have been fraudulently taken from him and his family, and charges that the insurance company wronged him by not paying him the \$1,500,000.

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ROAD TO DEEP CREEK

Nothing Remains Now But to Ratify the Contract.

THE SHORT LINE'S OFFER

EMBODIES PRACTICALLY ALL THE CANNON CO. HAS ASKED.

The Whole Project Looked Upon by Railroad Men as Being as Good as Settled—Bancroft and Eccles Leave For St. Paul—Local Notes.

The Deep Creek road will be built, and that, too, without any unnecessary delay.

This statement has been made a good many times in the past, so many times in fact, that the public has become very skeptical about the proposition, even though all know that the project has taken new life and more definite shape since the segregation of the Short Line. Negotiations between the Short Line and the Cannon company have been pending for a long time, and when President Carr was here recently the matter was given careful consideration and met with general approval.

The Cannon company, it was understood, was especially desirous of having a proposition that will require the greater part of their contract to be the furnishing of labor in building the road, as the promoters were anxious to give employment to as many people as possible. Two forms of contracts, or the outlines of them, as agreed upon by the Short Line will be submitted to the Cannon company, have already been published in The Herald, and now it is said that a contract which will give the Cannon people all they ask for, has been put in definite form by the Short Line and will no doubt be signed up by the other side.

Not to go into details or technicalities, the contract, in a general way, provides that the Short Line will deliver the Utah & Nevada to the Cannon people, and will furnish them with the necessary rails to extend the Utah & Nevada to Ogden and build a branch line from Ogden to the Salt Lake & Western branch due west to Deep Creek, a distance of about 65 miles. The Short Line will also furnish the culverts, and the Cannon company will furnish the ties and labor of constructing the line.

The negotiations, it will therefore be seen, have now reached a stage where the Short Line agrees to just what the Cannon company desires and there is little reason to doubt that the whole proposition will be formally ratified in a very short time.

Bancroft and Eccles.

Messrs. Bancroft and Eccles left last night for St. Paul, where they will confer with the Northern Pacific officials. They will return by way of Omaha.

Railway Notes.

Mrs. Harry Tooker left for Sioux City yesterday.

The "In Gay New York" company will arrive over the Short Line today.

George N. Clayton, northwestern passenger agent of the Walcott, with headquarters at Omaha, left last night for Portland.

Traveling Freight Agent Cushing of the Denver & Rio Grande left last night on a business trip through Montana and Idaho.

At the S. P. company's Sacramento shops are being built 64 vestibule-baggage cars, 150 standard box cars and 30 39-ton hopper bottom coal cars.

W. J. Jones will remove his office from their present location to the building of the Hughes Commission company about the first of next month.

General Agent A. O. Brown of the Midland is back at his desk. Mr. Brown expects to leave for Glenwood Springs for treatment the latter part of this week.

Orders made by Judge Sanborn at St. Paul confirming the sale under foreclosure of the Union Pacific Railway company west of the Walcott, with headquarters at Omaha, left last night for Portland.

J. F. Galbraith, who has been appointed traffic manager of the Cleveland Terminal & Valley Railroad company, left headquarters at Cleveland, will also be the general agent of the B. & O. at that point. These two positions were formerly held by L. Rush Brockenbrough, who is now general freight agent of the B. & O. lines west of the Ohio river, with headquarters at Pittsburgh.

SKIPPED TO CANADA.

Grand Forks, N. D., Nov. 10.—Ex-State Treasurer Booker is among the missing. Some time ago Booker was reported to have fled to Canada, but making a fraudulent report to the comptroller of currency on the condition of the Grand Forks National bank, of which he was president.

Booker is believed to have called in the United States court, Booker failed to respond and his bond was declared forfeited. Officers have been unable to find him, and the supposition is that he is now in Canada.

The Grand Forks National bank failed two years ago. Booker was at one time reported to be worth \$1,000,000.

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